

Amendments to the Claims:

1. (Currently Amended) A system ~~for uploading content~~ comprising:  
a sender ~~capable of sending~~ configured to send an upload request, wherein the upload request comprises a request to upload content from the sender to a recipient; and  
a network entity ~~capable of receiving~~ configured to receive the upload request, and ~~thereafter determining in response thereto, determine~~ an upload schedule relating to at least one of the time ~~and or~~ manner of uploading the content, and wherein the sender is ~~capable of uploading~~ configured to upload the content to the recipient in accordance with the upload schedule.
2. (Currently Amended) A system according to Claim 1, wherein the sender is further ~~capable of deleting~~ configured to delete the content from memory of the sender after uploading the content to the recipient.
3. (Currently Amended) A system according to Claim 1, wherein the upload schedule includes at least one instruction based upon state information regarding at least one of the recipient ~~and or~~ the sender, and wherein the sender is further ~~capable of receiving~~ configured to receive the state information before uploading the content ~~such that to thereby enable the sender is capable of uploading to upload~~ the content based upon the state information.
4. (Currently Amended) A system according to Claim 3, wherein the sender is ~~capable of receiving~~ configured to receive state information comprising at least one of a connectivity, location, actual movement ~~and or~~ predicted movement of at least one of the recipient ~~and or~~ the sender.
5. (Currently Amended) A system according to Claim 1, wherein the upload schedule includes at least one instruction based upon state information regarding at least one network over which the content is uploaded, and wherein the sender is further ~~capable of receiving~~ configured to receive the state information before uploading the content ~~such that to~~

~~thereby enable the sender is capable of uploading to upload~~ the content based upon the state information.

6. (Currently Amended) A system according to Claim 5, wherein the sender is ~~capable of receiving~~ configured to receive state information comprising at least one of traffic on the at least one network ~~and or~~ bandwidth available to at least one of the recipient ~~and or~~ the sender on the at least one network.

7. (Currently Amended) A system according to Claim 1, wherein the upload schedule includes at least one instruction defining processing the content, and wherein the sender is further ~~capable of processing~~ configured to process the content ~~such that to thereby enable the sender is capable of uploading to upload~~ the processed content.

8. (Currently Amended) A system according to Claim 7, wherein the sender is ~~capable of~~ configured to at least one of ~~transcoding and truncating~~ transcode or truncate at least a portion of the content ~~such that to thereby enable the sender is capable of uploading to upload~~ the at least one of the transcoded ~~and or~~ truncated portion of the content.

9. (Currently Amended) A system according to Claim 7, wherein the sender is ~~capable of breaking~~ configured to break up the upload content into a plurality of portions ~~such that to thereby enable the sender is capable of uploading to upload~~ the portions of the upload content.

10. (Currently Amended) A system according to Claim 1, wherein the upload schedule includes at least one instruction defining at least one deadline for uploading the content, and wherein the sender is ~~capable of uploading~~ configured to upload the content based upon the at least one deadline.

11. (Currently Amended) A system according to Claim 1, wherein the content

includes a plurality of pieces, wherein the upload schedule includes at least one instruction comprising an ordering of the plurality of pieces of the content, and wherein the sender is ~~capable of uploading~~ configured to upload at least a portion of the content based upon the ordering of the plurality of pieces of the content.

12. (Currently Amended) A system according to Claim 1, wherein the upload schedule includes at least one instruction based upon the content and at least one network over which the content is uploaded, and wherein the sender is ~~capable of uploading~~ configured to upload the content based upon the content and the at least one network.

13. (Currently Amended) A system according to Claim 1, wherein the upload schedule includes at least one instruction based upon at least one upload time of the content determined based upon the content and at least one network over which the content is uploaded, and wherein the sender is ~~capable of uploading~~ configured to upload the content based upon the at least one upload time.

14. (Currently Amended) A system according to Claim 1, wherein the sender is further ~~capable of receiving~~ configured to receive a trigger to send an upload request before sending the upload request, and wherein the sender is ~~capable of sending~~ configured to send the upload request in response to the trigger independent of interaction from a user of the sender.

15. (Currently Amended) A system according to Claim 1, wherein the content comprises a plurality of data packets, and wherein the sender is ~~capable of sending~~ configured to send an upload descriptor and ~~thereafter uploading~~ thereafter upload the content, wherein at least one of the sender and ~~or~~ the network entity is ~~capable of determining~~ configured to determine if an interruption occurs in uploading the plurality of data packets such that the recipient receives less than the plurality of data packets of the content, and wherein, if an interruption occurs in uploading the plurality of data packets, the network entity is ~~capable of recovering~~ configured to recover the content based upon the upload descriptor such that the recipient receives the plurality

of data packets.

16. (Currently Amended) A system according to Claim 15, wherein the network entity is ~~capable of recovering~~ being configured to recover the content ~~by determining~~ includes being configured to determine at least one remaining data packet to be uploaded to the recipient to thereby complete uploading of the plurality of data packets of the content, and thereafter ~~instructing~~ instruct the sender to send the at least one remaining data packet such that the recipient receives the at least one remaining data packet.

17. (Currently Amended) A system according to Claim 1, wherein the content comprises a plurality of data packets, and wherein the sender is ~~capable of uploading~~ configured to upload the plurality of data packets and at least one information packet regarding at least one group of at least one data packet.

18. (Currently Amended) A system according to Claim 17, wherein the network entity is ~~capable of monitoring~~ configured to monitor the uploaded data packets to determine, based upon at least one information packet, if an interruption occurs in uploading the plurality of data packets such that the recipient receives less than the plurality of data packets of the content, and wherein, if an interruption occurs in uploading the plurality of data packets, the network entity is ~~capable of recovering~~ configured to recover the content such that the recipient receives the plurality of data packets.

19. (Currently Amended) A system according to Claim 1, wherein at least one of the sender ~~and or~~ the network entity is ~~capable of determining~~ configured to determine if an interruption occurs in uploading the content such that the recipient only receives a portion of the content, and wherein, if an interruption occurs in uploading the content, the sender is ~~capable of receiving~~ configured to receive a length of the received portion of the content ~~such that to thereby enable~~ the sender is capable of to thereafter ~~uploading~~ upload a remaining portion of the content to thereby recover the content such that the recipient receives all of the content.

20. (Currently Amended) A system according to Claim 19, wherein the sender is ~~capable of uploading~~ configured to upload a remaining portion of the content based upon a bit range of the remaining portion of the content.

21. (Currently Amended) A system according to Claim 19, wherein the sender is ~~capable of receiving~~ configured to receive a length of the received portion of the content in accordance with a hypertext transfer protocol (HTTP) HEAD technique.

22. (Currently Amended) A system according to Claim 21, wherein the sender is ~~capable of uploading~~ configured to upload the remaining portion of the content in accordance with one of a HTTP POST ~~and or~~ a HTTP PUT technique, wherein the one of the HTTP POST ~~and or~~ HTTP PUT technique includes uploading the remaining portion of the content including header information comprising a bit range of the remaining portion of the content.

23. (Currently Amended) ~~A terminal for uploading content~~ An apparatus comprising: a ~~controller~~ capable of sending ~~processor~~ configured to send an upload request to a network entity, the upload request comprising a request to upload content from the ~~terminal apparatus~~ to a recipient, wherein the ~~controller~~ processor is ~~capable of sending~~ configured to send the upload request such that to thereby enable the network entity is ~~capable of determining to determine, in response thereto,~~ an upload schedule relating to at least one of the time ~~and or~~ manner of uploading the content, and wherein the ~~controller~~ processor is ~~capable of uploading~~ configured to upload the content to the recipient in accordance with the upload schedule.

24. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 23 further comprising:

a memory ~~capable of storing~~ configured to store the content, wherein the ~~controller~~ processor is ~~capable of deleting~~ configured to delete the content from the memory after uploading the content to the recipient.

25. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 23, wherein the upload schedule includes at least one instruction based upon state information regarding at least one of the recipient ~~and or the terminal apparatus~~, and wherein the ~~controller-processor~~ is capable of receiving configured to receive the state information before uploading the content ~~such that to thereby enable the controller is capable of uploading-processor to upload~~ the content based upon the state information.

26. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 25, wherein the ~~controller-processor~~ is capable of receiving configured to receive state information comprising at least one of a connectivity, location, actual movement ~~and or predicted movement~~ of at least one of the recipient ~~and or the terminal apparatus~~.

27. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 23, wherein the upload schedule includes at least one instruction based upon state information regarding at least one network over which the content is uploaded, and wherein the ~~controller-processor~~ is capable of receiving configured to receive the state information before uploading the content ~~such that to thereby enable the controller is capable of uploading-processor to upload~~ the content based upon the state information.

28. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 27, wherein the ~~controller-processor~~ is capable of receiving configured to receive state information comprising at least one of traffic on the at least one network ~~and or bandwidth available to at least one of the recipient and or the terminal apparatus on the at least one network~~.

29. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 23, wherein the upload schedule includes at least one instruction defining processing the content, and wherein the ~~controller-processor~~ is capable of processing configured to process the content ~~such that to thereby enable the controller is capable of uploading-processor to upload~~ the content comprises

uploading the processed content.

30. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 29, wherein the ~~controller-processor is capable of~~ configured to at least one of ~~transcoding and truncating~~ transcode or truncate at least a portion of the content ~~such that to thereby enable the controller is capable of uploading-processor to upload~~ the at least one of the transcoded and ~~or~~ truncated portion of the content.

31. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 29, wherein the ~~controller-processor is capable of breaking~~ configured to break up the upload content into a plurality of portions ~~such that to thereby enable the controller is capable of uploading-processor to upload~~ the portions of the upload content.

32. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 23, wherein the upload schedule includes at least one instruction defining at least one deadline for uploading the content, and wherein the ~~controller-processor is capable of uploading~~ configured to upload the content based upon the at least one deadline.

33. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 23, wherein the content includes a plurality of pieces, wherein the upload schedule includes at least one instruction comprising an ordering of the plurality of pieces of the content, and wherein the ~~controller-processor is capable of uploading~~ configured to upload at least a portion of the content based upon the ordering of the plurality of pieces of the content.

34. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 23, wherein the upload schedule includes at least one instruction based upon the content and at least one network over which the content is uploaded, and wherein the ~~controller-processor is capable of uploading~~ configured to upload the content based upon the content and the at least one network.

35. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 23, wherein the upload schedule includes at least one instruction based upon at least one upload time of the content determined based upon the content and at least one network over which the content is uploaded, and wherein the ~~controller-processor~~ is capable of uploading configured to upload the content based upon the at least one upload time.

36. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 23, wherein the ~~controller-processor~~ is further capable of receiving configured to receive a trigger to send an upload request such that to thereby enable the controller is capable of sending processor to send the upload request in response to the trigger independent of interaction from a user of the terminal apparatus.

37. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 23, wherein the content comprises a plurality of data packets, wherein the ~~controller-processor~~ is capable of sending configured to send an upload descriptor and thereafter uploading thereafter upload the content such that to thereby enable at least one of the controller and processor or the network entity is capable of determining to determine if an interruption occurs in uploading the plurality of data packets such that the recipient receives less than the plurality of data packets of the content, and if an interruption occurs in uploading the plurality of data packets, such that to thereby enable the network-network entity is capable of recovering to recover the content based upon the upload descriptor such that the recipient receives the plurality of data packets.

38. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 37, wherein the ~~controller-processor~~ is capable of sending configured to send the upload descriptor and thereafter uploading upload the content such that to thereby enable, if an interruption occurs in uploading the plurality of data packets, the network entity is capable of recovering to recover the content by determining if an interruption occurs in uploading the plurality of data packets, including enabling the network entity to determine at least one remaining data packet to be uploaded to the recipient to thereby complete uploading of the plurality of data packets of the



content, and thereafter ~~instructing~~ instruct the ~~terminal apparatus~~ to send the at least one remaining data packet such that ~~to thereby enable the controller is capable of uploading~~ processor to upload the at least one remaining data packet such that the recipient receives all of the content.

39. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 23, wherein the content comprises a plurality of data packets, and wherein the ~~controller processor is capable of uploading~~ configured to upload the plurality of data packets and at least one information packet regarding at least one group of at least one data packet.

40. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 39, wherein the ~~controller processor is capable of uploading~~ configured to upload the plurality of data packets and the at least one information packet such that ~~to thereby enable the network entity is capable of monitoring~~ to monitor the uploaded data packets to determine, based upon at least one information packet, if an interruption occurs in uploading the plurality of data packets such that the recipient receives less than the plurality of data packets of the content, and if an interruption occurs in uploading the plurality of data packets, ~~such that to thereby enable the network entity is capable of recovering~~ to recover the content such that the recipient receives the plurality of data packets.

41. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 23, wherein the ~~controller processor is capable of uploading~~ configured to upload the content such that ~~to thereby enable at least one of the controller and processor or the network entity is capable of determining~~ to determine if an interruption occurs in uploading the content such that the recipient only receives a portion of the content, and if an interruption occurs in uploading the content, the ~~controller processor is capable of receiving~~ configured to receive a length of the received portion of the content, and thereafter ~~uploading~~ upload a remaining portion of the content to thereby recover the content such that the recipient receives all of the content.

42. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 41, wherein the ~~controller-processor~~ is capable of uploading ~~configured to upload~~ a remaining portion of the content based upon a bit range of the remaining portion of the content.

43. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 41, wherein the ~~controller-processor~~ is capable of receiving ~~configured to receive~~ a length of the received portion of the content in accordance with a hypertext transfer protocol (HTTP) HEAD technique.

44. (Currently Amended) ~~A terminal~~ An apparatus according to Claim 43, wherein the ~~controller-processor~~ is capable of uploading ~~configured to upload~~ a remaining portion of the content in accordance with one of a HTTP POST and or a HTTP PUT technique, wherein the one of the HTTP POST and or HTTP PUT technique includes uploading the remaining portion of the content including header information comprising a bit range of the remaining portion of the content.

45. (Currently Amended) ~~A network entity~~ An apparatus comprising:  
a processor ~~capable of operating an upload agent, the upload agent being capable of receiving~~ configured to receive a request to upload content from a sender, and ~~determining~~ determine, in response thereto, an upload schedule relating to at least one of the time and or manner of uploading the content, wherein the ~~upload agent processor~~ is capable of determining ~~configured to determine~~ the upload schedule ~~such that to thereby enable the sender is thereafter capable of uploading to upload~~ the content in accordance with the upload schedule.

46. (Currently Amended) ~~A system~~ An apparatus according to Claim 45, wherein the ~~upload agent processor~~ is capable of determining ~~configured to determine~~ an upload schedule including at least one instruction based upon state information regarding at least one of the recipient and or the sender ~~such that to thereby enable the sender is capable of receiving to receive~~ the state information before uploading the content to thereby upload the content based upon the state information.

47. (Currently Amended) ~~A system~~ An apparatus according to Claim 45, wherein the ~~upload agent processor is capable of determining~~ configured to determine an upload schedule including at least one instruction based upon state information regarding at least one network over which the content is uploaded ~~such that to thereby enable the sender is capable of receiving to receive the state information before uploading the content to thereby upload the content based upon the state information.~~

48. (Currently Amended) ~~A system~~ An apparatus according to Claim 45, wherein the ~~upload agent processor is capable of determining~~ configured to determine an upload schedule including at least one instruction defining processing the content ~~such that to thereby enable the sender is capable of processing to process the content and uploading the processed content.~~

49. (Currently Amended) ~~A system~~ An apparatus according to Claim 45, wherein the ~~upload agent processor is capable of determining~~ configured to determine an upload schedule including at least one instruction defining at least one deadline for uploading the content ~~such that to thereby enable the sender is capable of uploading to upload the content based upon the at least one deadline.~~

50. (Currently Amended) ~~A system~~ An apparatus according to Claim 45, wherein the content includes a plurality of pieces, and wherein the ~~upload agent processor is capable of determining~~ configured to determine an upload schedule including at least one instruction comprising an ordering of the plurality of pieces of the content ~~such that to thereby enable the sender is capable of uploading to upload at least a portion of the content based upon the ordering of the plurality of pieces of the content.~~

51. (Currently Amended) ~~A system~~ An apparatus according to Claim 45, wherein the ~~upload agent processor is capable of determining~~ configured to determine an upload schedule including at least one instruction based upon the content and at least one network over which the

content is uploaded ~~such that to thereby enable the sender is capable of uploading to upload the~~  
content based upon the content and the at least one network.

52. (Currently Amended) ~~A system~~ An apparatus according to Claim 45, wherein the  
~~upload agent processor is capable of determining~~ configured to determine an upload schedule  
including at least one instruction based upon at least one upload time of the content ~~such that to~~  
~~thereby enable the sender is capable of uploading to upload the~~ content based upon the at least  
one upload time, the at least one upload time of the content being determined based upon the  
content and at least one network over which the content is uploaded.

53. (Currently Amended) ~~A system~~ An apparatus according to Claim 45, wherein the  
content comprises a plurality of data packets, wherein the ~~upload agent processor is capable of~~  
~~determining~~ configured to determine the upload schedule ~~such that to thereby enable the sender~~  
~~is to thereafter capable of sending send an upload descriptor and thereafter uploading thereafter~~  
upload the plurality of data packets, wherein the ~~upload agent processor is capable of~~  
~~determining~~ configured to determine if an interruption occurs in uploading the plurality of data  
packets such that a recipient of the content receives less than the plurality of data packets of the  
content, and wherein, if an interruption occurs in uploading the plurality of data packets, the  
~~upload agent processor is capable of recovering~~ configured to recover the content based upon the  
upload descriptor such that the recipient receives the plurality of data packets.

54. (Currently Amended) ~~A system~~ An apparatus according to Claim 53, wherein the  
~~upload agent processor is capable of recovering~~ configured to recover the content by determining  
at least one remaining data packet to be uploaded to the recipient to thereby complete uploading  
of the plurality of data packets of the content, and thereafter instructing the sender to send the at  
least one remaining data packet such that the recipient receives the at least one remaining data  
packet.

55. (Currently Amended) ~~A system~~ An apparatus according to Claim 45, wherein the

content comprises a plurality of data packets, and wherein the ~~upload agent processor is capable of determining~~ configured to determine the upload schedule ~~such that to thereby enable the sender is to thereafter~~ upload the plurality of data packets and at least one information packet regarding at least one group of at least one data packet.

56. (Currently Amended) ~~A system~~ An apparatus according to Claim 55, wherein the ~~upload agent processor is capable of monitoring~~ configured to monitor the uploaded data packets to determine, based upon at least one information packet, if an interruption occurs in uploading the plurality of data packets such that a recipient of the content recipient receives less than the plurality of data packets of the content, and wherein, if an interruption occurs in uploading the plurality of data packets, the ~~upload agent processor is capable of recovering~~ configured to recover the content such that the recipient receives the plurality of data packets.

57. (Currently Amended) ~~A system~~ An apparatus according to Claim 45, wherein the ~~upload agent processor is capable of determining~~ configured to determine if an interruption occurs in uploading the content such that a recipient of the content only receives a portion of the content, and wherein, if an interruption occurs in uploading the content, the ~~upload agent processor is capable of sending~~ configured to send the sender a length of the received portion of the content ~~such that to thereby enable the sender is capable of to thereafter~~ uploading upload a remaining portion of the content to thereby recover the content such that the recipient receives all of the content.

58. (Currently Amended) A method of uploading content comprising:  
receiving an upload request from a sender, wherein the upload request comprises a request to upload content from the sender to a recipient;  
determining, in response to the request, an upload schedule relating to at least one of the time and or manner of uploading the content; and  
uploading the content to the recipient in accordance with the upload schedule.

59. (Original) A method according to Claim 58 further comprising:  
deleting the content from memory of the sender after uploading the content to the recipient.

60. (Currently Amended) A method according to Claim 58, wherein the upload schedule includes at least one instruction based upon state information regarding at least one of the recipient ~~and-or~~ the sender, and wherein the method further comprises:  
receiving the state information before uploading the content, wherein uploading the content comprises uploading the content based upon the state information.

61. (Currently Amended) A method according to Claim 60, wherein ~~receiving the state information comprises receiving the received state information comprising comprises~~ at least one of a connectivity, location, actual movement ~~and-or~~ predicted movement of at least one of the recipient ~~and-or~~ the sender.

62. (Original) A method according to Claim 58, wherein the upload schedule includes at least one instruction based upon state information regarding at least one network over which the content is uploaded, and wherein the method further comprises:  
receiving the state information before uploading the content, wherein uploading the content comprises uploading the content based upon the state information.

63. (Currently Amended) A method according to Claim 62, wherein ~~receiving the state information comprises receiving the received state information comprising comprises~~ at least one of traffic on the at least one network ~~and-or~~ bandwidth available to at least one of the recipient ~~and-or~~ the sender on the at least one network.

64. (Original) A method according to Claim 58, wherein the upload schedule includes at least one instruction defining processing the content, and wherein the method further comprises:

processing the content, and wherein uploading the content comprises uploading the processed content.

65. (Currently Amended) A method according to Claim 64, wherein processing the content comprises at least one of transcoding ~~and-or~~ truncating at least a portion of the content, and wherein uploading the content comprises uploading the at least one of the transcoded ~~and-or~~ truncated portion of the content.

66. (Original) A method according to Claim 64, wherein processing the content comprises breaking up the upload content into a plurality of portions, and wherein uploading the content comprises uploading the portions of the upload content.

67. (Original) A method according to Claim 58, wherein the upload schedule includes at least one instruction defining at least one deadline for uploading the content, and wherein uploading the content comprises uploading the content based upon the at least one deadline.

68. (Original) A method according to Claim 58, wherein the content includes a plurality of pieces, wherein the upload schedule includes at least one instruction comprising an ordering of the plurality of pieces of the content, and wherein uploading the content comprises uploading at least a portion of the content based upon the ordering of the plurality of pieces of the content.

69. (Original) A method according to Claim 58, wherein the upload schedule includes at least one instruction based upon the content and at least one network over which the content is uploaded, and wherein uploading the content comprises uploading the content based upon the content and the at least one network.

70. (Original) A method according to Claim 58, wherein the upload schedule

includes at least one instruction based upon at least one upload time of the content determined based upon the content and at least one network over which the content is uploaded, and wherein uploading the content comprises uploading the content based upon the at least one upload time.

71. (Original) A method according to Claim 58 further comprising:  
sending a trigger to the sender to send an upload request before receiving the upload request, wherein receiving an upload request comprises receiving an upload request in response to the trigger independent of interaction from a user of the sender.

72. (Currently Amended) A method according to Claim 58, wherein the content comprises a plurality of data packets, wherein uploading the content comprises sending an upload descriptor and ~~thereafter~~ thereafter uploading the content, and the method further comprises:

determining if an interruption occurs in uploading the plurality of data packets such that the recipient receives less than the plurality of data packets of the content; and if an interruption occurs in uploading the plurality of data packets,

recovering the content based upon the upload descriptor such that the recipient receives the plurality of data packets.

73. (Original) A method according to Claim 72, wherein recovering the content comprises:

determining at least one remaining data packet to be received at the recipient to thereby complete uploading of the plurality of data packets of the content;

instructing the sender to send the at least one remaining data packet; and

uploading the at least one remaining data packet such that the recipient receives all of the content.

74. (Original) A method according to Claim 58, wherein the content comprises a plurality of data packets, and wherein uploading the content comprises uploading the plurality of



data packets and at least one information packet regarding at least one group of at least one data packet.

75. (Original) A method according to Claim 74 further comprising:  
monitoring the uploaded data packets to determine, based upon at least one information packet, if an interruption occurs in uploading the plurality of data packets such that the recipient receives less than the plurality of data packets of the content; and if an interruption occurs in uploading the plurality of data packets,  
recovering the content such that the recipient receives the plurality of data packets.

76. (Original) A method according to Claim 58 further comprising:  
determining if an interruption occurs in uploading the content such that the recipient only receives a portion of the content; and if an interruption occurs in uploading the content,  
receiving a length of the received portion of the content to the sender; and  
uploading a remaining portion of the content to thereby recover the content such that the recipient receives all of the content.

77. (Original) A method according to Claim 76, wherein uploading a remaining portion of the content comprises uploading a remaining portion of the content based upon a bit range of the remaining portion of the content.

78. (Original) A method according to Claim 76, wherein receiving a length of the received portion of the content comprises receiving a length of the received portion of the content in accordance with a hypertext transfer protocol (HTTP) HEAD technique.

79. (Currently Amended) A method according to Claim 78, wherein uploading a remaining portion of the content comprises uploading a remaining portion of the content in accordance with one of a HTTP POST ~~and~~or a HTTP PUT technique, wherein the one of the HTTP POST ~~and~~or HTTP PUT technique includes uploading the remaining portion of the

content including header information comprising a bit range of the remaining portion of the content.

80. (Currently Amended) A computer program product for uploading content, the computer program product comprising at least one computer-readable storage medium having computer-readable program code portions stored therein, the computer-readable program code portions comprising:

a first executable portion ~~for receiving~~ configured to receive an upload request from a sender, wherein the upload request comprises a request to upload content from the sender to a recipient;

a second executable portion ~~for determining~~ configured to determine, in response to the request, an upload schedule relating to at least one of the time ~~and~~ or manner of uploading the content; and

a third executable portion ~~for uploading~~ configured to upload the content to the recipient in accordance with the upload schedule.

81. (Currently Amended) A computer program product according to Claim 80, wherein the computer-readable program code portions further comprising ~~comprise~~:

a fourth executable portion ~~for deleting~~ configured to delete the content from memory of the sender after uploading the content to the recipient.

82. (Currently Amended) A computer program product according to Claim 80, wherein the upload schedule includes at least one instruction based upon state information regarding at least one of the recipient ~~and~~ or the sender, and wherein the computer program product further comprises:

a fourth executable portion ~~for receiving~~ configured to receive the state information before uploading the content, wherein the third executable portion is ~~adapted~~ configured to upload the content based upon the state information.

83. (Currently Amended) A computer program product according to Claim 82, wherein the fourth executable portion is ~~adapted~~configured to receive state information comprising at least one of a connectivity, location, actual movement ~~and~~or predicted movement of at least one of the recipient ~~and~~or the sender.

84. (Currently Amended) A computer program product according to Claim 80, wherein the upload schedule includes at least one instruction based upon state information regarding at least one network over which the content is uploaded, and wherein the computer program product further comprises:

a fourth executable portion ~~for receiving~~configured to receive the state information before uploading the content, wherein the third executable portion is ~~adapted~~configured to upload the content based upon the state information.

85. (Currently Amended) A computer program product according to Claim 84, wherein the fourth executable portion is ~~adapted~~configured to receive state information comprising at least one of traffic on the at least one network ~~and~~or bandwidth available to at least one of the recipient ~~and~~or the sender on the at least one network.

86. (Currently Amended) A computer program product according to Claim 80, wherein the upload schedule includes at least one instruction defining processing the content, and wherein the computer program product further comprises:

a fourth executable portion ~~for processing~~configured to process the content, and wherein the third executable portion is ~~adapted~~configured to upload the processed content.

87. (Currently Amended) A computer program product according to Claim 86, wherein the fourth executable portion is ~~adapted~~configured to at least one of transcode ~~and~~or truncate at least a portion of the content, and wherein the third executable portion is ~~adapted~~configured to upload the at least one of the transcoded ~~and~~or truncated portion of the content.

88. (Currently Amended) A computer program product according to Claim 86, wherein the fourth executable portion is ~~adapted~~ configured to break up the upload content into a plurality of portions, and wherein the third executable portion is ~~adapted~~ configured to upload the portions of the upload content.

89. (Currently Amended) A computer program product according to Claim 80, wherein the upload schedule includes at least one instruction defining at least one deadline for uploading the content, and wherein the third executable portion is ~~adapted~~ configured to upload the content based upon the at least one deadline.

90. (Currently Amended) A computer program product according to Claim 80, wherein the content includes a plurality of pieces, wherein the upload schedule includes at least one instruction comprising an ordering of the plurality of pieces of the content, and wherein the third executable portion is ~~adapted~~ configured to upload at least a portion of the content based upon the ordering of the plurality of pieces of the content.

91. (Currently Amended) A computer program product according to Claim 80, wherein the upload schedule includes at least one instruction based upon the content and at least one network over which the content is uploaded, and wherein the third executable portion is ~~adapted~~ configured to upload the content based upon the content and the at least one network.

92. (Currently Amended) A computer program product according to Claim 80, wherein the upload schedule includes at least one instruction based upon at least one upload time of the content determined based upon the content and at least one network over which the content is uploaded, and wherein the third executable portion is ~~adapted~~ configured to upload the content based upon the at least one upload time.

93. (Currently Amended) A computer program product according to Claim 80, wherein the computer-readable program code portions further comprising comprise:

a fourth executable portion ~~for receiving~~ configured to receive a trigger to send an upload request before the first executable portion sends the upload request, wherein the first executable portion is ~~adapted~~ configured to send the upload request in response to the trigger independent of interaction from a user of the sender.

94. (Currently Amended) A computer program product according to Claim 80, wherein the content comprises a plurality of data packets, wherein the third executable portion is ~~adapted~~ configured to send an upload descriptor and ~~thereafter~~ thereafter upload the content, and wherein the ~~computer program product~~ computer-readable program code portions further ~~comprises~~ comprise:

a fourth executable portion ~~for determining~~ configured to determine if an interruption occurs in uploading the plurality of data packets such that the recipient receives less than the plurality of data packets of the content and if an interruption occurs in uploading the plurality of data packets, ~~for recovering and to recover~~ the content based upon the upload descriptor such that the recipient receives the plurality of data packets.

95. (Currently Amended) A computer program product according to Claim 94, wherein the fourth executable portion is ~~adapted~~ configured to determine at least one remaining data packet to be received at the recipient to thereby complete uploading of the plurality of data packets of the content, and instruct the sender to send the at least one remaining data packet, and wherein the third executable portion is ~~adapted~~ configured to upload the at least one remaining data packet such that the recipient receives all of the content.

96. (Currently Amended) A computer program product according to Claim 80, wherein the content comprises a plurality of data packets, and wherein the third executable portion is ~~adapted~~ configured to upload the plurality of data packets and at least one information packet regarding at least one group of at least one data packet.

97. (Currently Amended) A computer program product according to Claim 96,

wherein the computer-readable program code portions further comprising comprise:

a fourth executable portion ~~for monitoring~~ configured to monitor the uploaded data packets to determine, based upon at least one information packet, if an interruption occurs in uploading the plurality of data packets such that the recipient receives less than the plurality of data packets of the content, and if an interruption occurs in uploading the plurality of data packets, ~~for recovering~~ to recover the content such that the recipient receives the plurality of data packets.

98. (Currently Amended) A computer program product according to Claim 80,  
wherein the computer-readable program code portions further comprising comprise:

a fourth executable portion ~~for determining~~ configured to determine if an interruption occurs in uploading the content such that the recipient only receives a portion of the content, and if an interruption occurs in uploading the content, ~~for receiving~~ to receive a length of the received portion of the content to the sender, wherein the third executable portion is adapted configured to upload a remaining portion of the content to thereby recover the content such that the recipient receives all of the content.

99. (Currently Amended) A computer program product according to Claim 98,  
wherein the third executable portion is adapted ~~configured~~ to upload a remaining portion of the content based upon a bit range of the remaining portion of the content.

100. (Currently Amended) A computer program product according to Claim 98,  
wherein the fourth executable portion is adapted ~~configured~~ to receiving ~~receive~~ a length of the received portion of the content in accordance with a hypertext transfer protocol (HTTP) HEAD technique.

101. (Currently Amended) A computer program product according to Claim 100,  
wherein the third executable portion is adapted ~~configured~~ to upload a remaining portion of the content in accordance with one of a HTTP POST ~~and or~~ a HTTP PUT technique, wherein the

Application No.: 10/803,684  
Amendment Dated March 20, 2008  
Reply to Official Action of December 27, 2007

| one of the HTTP POST ~~and~~ or HTTP PUT technique includes uploading the remaining portion of the content including header information comprising a bit range of the remaining portion of the content.